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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,679	08/14/2001	Frank Kressmann	1826-023	9084

9629 7590 07/18/2003  
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EXAMINER
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HUYNH, YENNHU B

ART UNIT	PAPER NUMBER
2813	

DATE MAILED: 07/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/929,679	KRESSMANN ET AL.
	Examiner Yennhu B Huynh	Art Unit 2813

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 09 March 2003.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-12 and 14-19 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-12 and 14-19 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

Claim 13 is cancelled by the Preliminary Amendment filed on 8/14/01.

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Specification***

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.

- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 14 & 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Sasaki et al. (U.S. 4,244,635).

Sasaki et al. disclose a checkerboard is implemented with a liquid crystal display (LCD), which include:

-Re. claims 1 & 2: a LCD having two opposed substrates 1 & 2; a liquid crystalline medium 3 contained between the substrates; a plurality of electrodes layer 4 & 5 arranged on the substrates to produce a multiplicity of pixels, wherein the electrodes are configured the pixels have round contours and roughly circular contours (fig.2 & 3).

-Re. claims 3,4 & 14: wherein the electrodes posses bulging section 14 with a rounded, outer contour, connecting section Wi linking the bulging section form diametrically opposed sectors at 90° angle, in a string type configuration, and opposing

each other and turn through about 90<sup>0</sup> angle relative to one another and adding up to form a pixel (fig. 3 & 4).

-Re. claims 5,6 & 15: wherein the bulging sections 14 of the electrodes which forms pixels are in the presence of an offset of the substrates in two axial directions 12Y & 12X, are still producible whose outer contour includes circular sections and corners with obtuse included internal angles from 90<sup>0</sup> and 180<sup>0</sup> (figs. 3A, 3B, 4A & 4B).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 8-11 & 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. (U.S. 4,244,635) in view of Knoll et al. (U.S. 4,955,698).

Sasaki et al. disclose substantially all of the claimed invention, except wherein the pixels have a contour in the form of a polygon with more than four sides or octagonal (cl. 8,9,16,17 & 18); wherein the neighboring sides of the polygon define between them an internal angle of > 100 or > 120 degrees (cl.10 & 18); wherein the polygon outer contour linking the bulging sections in a string type with electrodes disposed on different substrate and lie opposite each other (cl.11).

Re. claims 8,9,10,11 & 16-18: Knoll et al. disclose an opto electronic indicating matrix structure such as LCD, which include the rows a, b,c,d are connected each other

with segment/pixels 1 that have a contour in the form of polygon, or more than four sides/octagonal contour, by a conductor 3 form an internal angle or  $135^0$  (col.3, lines 38-57) or from  $45^0 - 165^0$  (col. 4, lines 10-28) from one row pair to another that relative to the longitudinal axis 5 (col.3), and wherein the polygon outer contour linking the bulging sections in a string type 3 with electrodes disposed on different substrate and lie opposite each other (figs.1 & 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Sasaki et al. invention by incorporating pixels having a contour in the form of a polygon or octagonal as taught by the Knoll invention. It would have also been obvious to one of ordinary skill in the art to modify the Sasaki invention by applying the tangents to the corners to define between them an internal angle between from  $45^0 - 165^0$  to achieve a full pixel form and increase the illumination reflection of transmissive indicator by the larged cross-section.

#### ***Allowable Subject Matter***

Claims 7,12 & 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance: Prior art of record does not disclose wherein the connecting sections have an enlarged cross section outside an area of overlap with the opposite electrode (cl.7), and wherein the pixels are arranged in a raster, with the raster distance between neighboring pixels amounting to between .5mm and 1mm (cls.12 & 19).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yennhu B Huynh whose telephone number is 703-308-6110. The examiner can normally be reached on 8.30AM-7.00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Whitehead, Jr., can be reached on 703-308-4940. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-7724.

YNBH,  
7/10/03

  
CARL WHITEHEAD, JR.  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800